STATE LAW LIBRARY OF MONTANA

Joseph P. Mazurek Justice Building
215 North Sanders Street
PO Box 203004
Helena, MT 59620-3004

Website: courts.mt.gov/library
Email: mtlawlibrary@mt.gov
Phone: 406-444-3660
Fax: 406-444-3603

Legislative History – Montana Session Law

Chapter: 244 Session L: 2007
Bill Number: HB 636

Checklist of Bill History

History and Final Status Sheet	☒
Introduced Bill	☒
Fiscal Note	☐
Third Reading Bill	☒
Final Version of Bill	☒

House

Committee: Judiciary

Hearing Date(s): 02/15/2007

Committee Report: Bill passed as amended

Senate

Committee: Judiciary

Hearing Date(s): 03/30/2007

Committee Report: Bill concurred

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: Charlotty Herman

Date: 06/02/2026

Notes: No conference committee; no fiscal note.

RETURNED TO HOUSE
4/09 SENT TO ENROLLING
4/11 RETURNED FROM ENROLLING
4/13 SIGNED BY SPEAKER
4/13 SIGNED BY PRESIDENT
4/16 TRANSMITTED TO GOVERNOR
4/26 SIGNED BY GOVERNOR
4/26 CHAPTER NUMBER ASSIGNED
CHAPTER NUMBER 278
EFFECTIVE DATE: 4/26/2007 - ALL SECTIONS

HB 635 INTRODUCED BY HANDS *LC1472 DRAFTER: MURDO*

FINANCIAL INCENTIVES FOR INTEGRATED DESIGN, EFFICIENCY, CONSERVATION

2/10 FISCAL NOTE REQUESTED
2/10 INTRODUCED
2/10 REFERRED TO TAXATION
2/15 HEARING
2/20 FISCAL NOTE RECEIVED
2/20 FISCAL NOTE PRINTED
2/21 TABLED IN COMMITTEE
4/03 MISSED DEADLINE FOR REVENUE BILL TRANSMITTAL
DIED IN STANDING COMMITTEE

HB 636 INTRODUCED BY BIXBY *LC2403 DRAFTER: PETESCH*

PROHIBIT QUOTAS IN EVALUATING LAW ENFORCEMENT OFFICERS

2/10 INTRODUCED
2/10 REFERRED TO JUDICIARY
2/15 HEARING
2/17 COMMITTEE EXECUTIVE ACTION—BILL PASSED AS AMENDED 16 1
2/17 COMMITTEE REPORT—BILL PASSED AS AMENDED
2/20 2ND READING PASSED AS AMENDED 79 21
2/22 3RD READING PASSED 80 19

TRANSMITTED TO SENATE
3/08 REFERRED TO JUDICIARY
3/30 HEARING
4/02 COMMITTEE EXECUTIVE ACTION—BILL CONCURRED 10 2
4/02 COMMITTEE REPORT—BILL CONCURRED
4/03 2ND READING CONCURRED 34 14
4/05 3RD READING CONCURRED 35 15

RETURNED TO HOUSE
4/10 SENT TO ENROLLING
4/10 RETURNED FROM ENROLLING
4/13 SIGNED BY SPEAKER
4/13 SIGNED BY PRESIDENT
4/16 TRANSMITTED TO GOVERNOR
4/25 SIGNED BY GOVERNOR
4/25 CHAPTER NUMBER ASSIGNED
CHAPTER NUMBER 244
EFFECTIVE DATE: 4/25/2007 - ALL SECTIONS

HB 637 INTRODUCED BY KLOCK *LC1659 DRAFTER: MARTIN*

PROVIDE INCOME TAX EXEMPTION FOR MILITARY SERVICE

12/04 FISCAL NOTE NEEDED
2/10 FISCAL NOTE REQUESTED
2/10 INTRODUCED
2/10 REFERRED TO TAXATION
2/15 HEARING
2/20 FISCAL NOTE RECEIVED
2/21 FISCAL NOTE PRINTED
2/22 COMMITTEE EXECUTIVE ACTION—BILL PASSED 18 0
2/22 COMMITTEE REPORT—BILL PASSED
3/07 2ND READING PASSED 93 5
3/07 REREFERRED TO APPROPRIATIONS
3/13 HEARING
3/29 REVISED FISCAL NOTE REQUESTED
3/29 REVISED FISCAL NOTE RECEIVED
3/29 REVISED FISCAL NOTE PRINTED
3/30 TABLED IN COMMITTEE
3/31 TAKEN FROM TABLE IN COMMITTEE

04/10/2007	Ch.	174		HB	427
04/10/2007	Ch.	176		HB	532
04/10/2007	Ch.	178		HB	769
04/10/2007	Ch.	181		HB	803
04/10/2007	Ch.	183		SB	77
04/10/2007	Ch.	184		SB	164
04/10/2007	Ch.	186		SB	203
04/10/2007	Ch.	190		SB	467
04/11/2007	Ch.	192		SB	225
04/11/2007	Ch.	193		SB	536
04/12/2007	Ch.	194		SB	291
04/17/2007	Ch.	201		HB	587
04/17/2007	Ch.	205		HB	782
04/17/2007	Ch.	206		SB	36
04/17/2007	Ch.	208		SB	150
04/17/2007	Ch.	210		SB	169
04/17/2007	Ch.	213		SB	248
04/17/2007	Ch.	215		SB	285
04/17/2007	Ch.	216		SB	286
04/17/2007	Ch.	222		SB	378
04/17/2007	Ch.	224		SB	440
04/17/2007	Ch.	229		SB	527
04/23/2007	Ch.	231		HB	526
04/23/2007	Ch.	233		SB	185
04/24/2007	Ch.	235		HB	361
04/24/2007	Ch.	237		HB	450
04/25/2007	Ch.	239		HB	36
04/25/2007	Ch.	244		HB	636
04/25/2007	Ch.	246		HB	681
04/26/2007	Ch.	247		HB	19
04/26/2007	Ch.	255		HB	283
04/26/2007	Ch.	256		HB	291
04/26/2007	Ch.	257		HB	300
04/26/2007	Ch.	262		HB	389
04/26/2007	Ch.	266		HB	435
04/26/2007	Ch.	269		HB	460
04/26/2007	Ch.	270		HB	467
04/26/2007	Ch.	275		HB	537
04/26/2007	Ch.	278		HB	634
04/26/2007	Ch.	283		HB	743
04/26/2007	Ch.	284		HB	744
04/26/2007	Ch.	286		HB	778
04/26/2007	Ch.	288		HB	785
04/26/2007	Ch.	289		HB	811
04/26/2007	Ch.	292		SB	102
04/26/2007	Ch.	296		SB	339
04/26/2007	Ch.	297		SB	406
04/26/2007	Ch.	298		SB	422
04/26/2007	Ch.	300		SB	544
04/27/2007	Ch.	301		HB	3
04/27/2007	Ch.	302		HB	4
04/27/2007	Ch.	305		HB	63
			§§ 3, 4, 11(1), and 13		
04/27/2007	Ch.	317		HB	425
04/27/2007	Ch.	324		HB	609
04/27/2007	Ch.	331		HB	755
04/27/2007	Ch.	332		HB	759
04/27/2007	Ch.	333		HB	764
04/27/2007	Ch.	334		HB	765
04/27/2007	Ch.	337		SB	175
04/27/2007	Ch.	341		SB	219
04/27/2007	Ch.	347		SB	295
04/27/2007	Ch.	350		SB	308
04/27/2007	Ch.	352		SB	317
			§§ 1-4, 6, and 7		
04/27/2007	Ch.	353		SB	318
04/28/2007	Ch.	307		HB	125
04/28/2007	Ch.	314		HB	298
			§§ 2-4		
04/28/2007	Ch.	316		HB	362
04/28/2007	Ch.	320		HB	490
04/28/2007	Ch.	325		HB	611
04/28/2007	Ch.	343		SB	266
04/28/2007	Ch.	344		SB	269

Bill Explorer - HB 636: Prohibit quotas in evaluating law enforcement officers

Summary

Sponsoredby: Bixby, Norma
(D) HD 41

Progress		
Status	**Date**	**Passed**
Introduced	02/10/07	✓
Passed (H) Committee	02/17/07	✓
Passed House	02/22/07	✓
Passed (S) Committee	04/02/07	✓
Passed Senate	04/05/07	✓
To Governor	04/16/07	✓

Draft #	LC2403
Amendment(s)	Yes
Chapter #	244
Current Status	Chapter Number Assigned
Co-Sponsor(s)	None

Drafter	Petesch, Greg
Requester	Bixby, Norma
Fiscal Note	No
Preintroduction Required	No
Category	General Bills
Subject(s)	Law Enforcement (see also: Criminal Procedure),
Transmittal Date	02/28/07
Return Date	04/05/07

Sections Affected	Effective Date	Qualifier
All Sections	04/25/2007	

Bill Explorer - HB 636: Prohibit quotas in evaluating law enforcement officers

Status

Date	Action	Committee	Yes Votes	No Votes
04/25/07	Chapter Number Assigned			
04/25/07	(H) Signed by Governor			
04/16/07	(H) Transmitted to Governor			
04/13/07	(S) Signed by President			
04/13/07	(H) Signed by Speaker			
04/10/07	(H) Returned from Enrolling			
04/10/07	(C) Printed - New Version Available			
04/10/07	(H) Sent to Enrolling			
04/05/07	(S) Returned to House			
04/05/07	(S) 3rd Reading Concurred		35	15
04/04/07	(S) Scheduled for 3rd Reading			
04/04/07	(S) Scheduled for 3rd Reading			

Date	Action	Committee	Yes Votes	No Votes
04/03/07	(S) 2nd Reading Concurred		34	14
04/03/07	(S) Scheduled for 2nd Reading			
04/02/07	(S) Committee Report--Bill Concurred	(S) Judiciary		
04/02/07	(S) Committee Executive Action--Bill Concurred	(S) Judiciary	10	2
03/30/07	(S) Hearing	(S) Judiciary		
03/08/07	(S) Referred to Committee	(S) Judiciary		
03/08/07	(S) First Reading			
02/22/07	(H) Transmitted to Senate			
02/22/07	(H) 3rd Reading Passed		80	19
02/22/07	(H) Scheduled for 3rd Reading			
02/20/07	(C) Printed - New Version Available			
02/20/07	(H) 2nd Reading Passed as Amended		79	21
02/20/07	(H) 2nd Reading Motion to Amend Carried		59	40
02/20/07	(H) Scheduled for 2nd Reading			
02/17/07	(C) Printed - New Version Available			

Date	Action	Committee	Yes Votes	No Votes
02/17/07	(H) Committee Report--Bill Passed as Amended	(H) Judiciary		
02/17/07	(H) Committee Executive Action--Bill Passed as Amended	(H) Judiciary	16	1
02/15/07	(H) Hearing	(H) Judiciary		
02/10/07	(C) Introduced Bill Text Available Electronically			
02/10/07	(H) Referred to Committee	(H) Judiciary		
02/10/07	(H) First Reading			
02/10/07	(H) Introduced			
02/08/07	(C) Draft Delivered to Requester			
01/30/07	(C) Draft Ready for Delivery			
01/29/07	(C) Draft in Assembly/Executive Director Review			
01/29/07	(C) Draft in Final Drafter Review			
01/29/07	(C) Bill Draft Text Available Electronically			
01/29/07	(C) Draft in Input/Proofing			

Date	Action	Committee	Yes Votes	No Votes
01/29/07	(C) Draft to Drafter - Edit Review			
01/29/07	(C) Draft in Edit			
01/29/07	(C) Draft in Legal Review			
01/23/07	(C) Draft to Requester for Review			
01/22/07	(C) Draft to Requester for Review			
01/15/07	(C) Draft Request Received			

Showing 1 to 46 of 46 entries

Bill Explorer - HB 636: Prohibit quotas in evaluating law enforcement officers

Fiscal

Date	Status
No matching results found	

Fiscal Documents
No matching results found

Fiscal Rebuttals
No matching results found

Bill Explorer - HB 636: Prohibit quotas in evaluating law enforcement officers

Amendments

Amendment	Condensed Version
No Amendments found	

Bill Explorer - HB 636: Prohibit quotas in evaluating law enforcement officers

Documents And Links

Previous Versions

HB0636_x.pdf
HB0636_3.pdf
HB0636_2.pdf
HB0636_1.pdf

Other

None

Bill Explorer - Printed on: 6/2/2026, 1:55:38 PM

HOUSE BILL NO. 636

INTRODUCED BY N. BIXBY

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING QUOTAS FOR STOPS, CITATIONS, AND ARRESTS BY LAW ENFORCEMENT OFFICERS; PROHIBITING THE USE OF QUOTAS IN EVALUATING LAW ENFORCEMENT OFFICERS; AMENDING SECTIONS 7-32-103, 7-32-2107, 7-32-4105, 44-1-302, AND 46-6-420, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-32-103, MCA, is amended to read:

"7-32-103. Structure of department of public safety -- duties -- restrictions on evaluations. (1) The director ~~shall have~~ has the powers and shall perform the duties conferred on and required of sheriffs, police officers, and chiefs of police, except in cases involving the discharge or termination of employment of subordinate employees.

(2) Officers and patrol officers of the city or town police department and deputies of the county sheriff's office ~~shall be~~ are subordinate to the director and ~~shall~~ have the power and shall perform the duties conferred on and required of police officers and patrol officers in cities and towns and of sheriff's deputies in counties, as required by state law and municipal ordinance.

(3) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating officers."

Section 2. Section 7-32-2107, MCA, is amended to read:

"7-32-2107. Tenure for deputy sheriffs -- grounds for termination of employment -- restrictions on evaluations. (1) Any deputy sheriff ~~now~~ employed or who may ~~hereafter~~ be employed shall continue in service until relieved of ~~his~~ employment in the manner ~~hereinafter~~ provided in this part and only for one or more of the following specified causes:

~~(1)~~(a) conviction of a felony subsequent to the commencement of ~~such~~ employment;

~~(2)~~(b) willful disobedience of an order or orders given by the sheriff;

~~(3)~~(c) drinking intoxicating liquor while in uniform or while on official duty or being intoxicated in a public place while in uniform or while on official duty;

~~(4)~~(d) sleeping while on duty;

~~(5)~~(e) incapacity materially affecting ability to perform official duties;

~~(6)~~(f) gross inefficiency in the performance of official duties.

(2) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating deputies."

Section 3. Section 7-32-4105, MCA, is amended to read:

"7-32-4105. Duties of chief of police. (1) It is the duty of the chief of police:

(a) to execute and return all process issued by the city judge or directed to ~~him~~ the chief by any legal authority and to attend upon the city court regularly;

(b) to arrest all persons guilty of a breach of the peace or for the violation of any city or town ordinance and bring them before the city judge for trial;

(c) to have charge and control of all ~~policemen~~ police officers, subject to ~~such~~ rules ~~as~~ that may be prescribed by ordinance, and to report to the council all delinquencies or neglect of duty or official misconduct of ~~policemen~~ police officers for action of the council;

(d) to perform ~~such~~ other duties as the council may prescribe.

(2) The chief of police has the same powers as a constable in the discharge of ~~his~~ the chief's duties, but ~~he must~~ may not serve a process in any civil action or proceeding except when a city or town is a party.

(3) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating police officers."

Section 4. Section 44-1-302, MCA, is amended to read:

"44-1-302. Powers relating to supervisory personnel -- quotas prohibited. The duties and jurisdiction of the supervisory personnel ~~shall~~ must be outlined and defined by and under the control of the chief. Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating highway patrol officers."

Section 5. Section 46-6-420, MCA, is amended to read:

"46-6-420. Arrest, ~~or~~ citation, or stop quotas prohibited. (1) A state or local government agency employing a peace officer may not adopt and require a peace officer to comply with a quota and may not suggest a quota for arrests, ~~or~~ citations, or investigative stops for any criminal offense or class of criminal offenses,

including violations of traffic or motor vehicle laws, contained in state law, an administrative rule adopted by an agency of the state government, or a local government ordinance.

(2) ~~(a)~~ For purposes of this section, "quota" means a specific number of arrests, ~~or~~ citations, or investigative stops.

~~(b) The term does not include the use of generally accepted management techniques that employ performance objectives as part of an overall employee evaluation.~~"

NEW SECTION. **Section 6. Effective date.** [This act] is effective on passage and approval.

- END -

HOUSE BILL NO. 636

INTRODUCED BY BIXBY, SMALL-EASTMAN, DICKENSON, CAMPBELL, BRANAE, JACOBSON, JAYNE, CORDIER, BERGREN, PARKER, GROESBECK, JOPEK

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING QUOTAS FOR STOPS, CITATIONS, AND ARRESTS BY LAW ENFORCEMENT OFFICERS; PROHIBITING THE USE OF QUOTAS IN EVALUATING LAW ENFORCEMENT OFFICERS; AMENDING SECTIONS 7-32-103, 7-32-2107, 7-32-4105, 44-1-302, AND 46-6-420, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-32-103, MCA, is amended to read:

"7-32-103. Structure of department of public safety -- duties -- restrictions on evaluations. (1) The director ~~shall have~~ has the powers and shall perform the duties conferred on and required of sheriffs, police officers, and chiefs of police, except in cases involving the discharge or termination of employment of subordinate employees.

(2) Officers and patrol officers of the city or town police department and deputies of the county sheriff's office ~~shall be~~ are subordinate to the director and ~~shall~~ have the power and shall perform the duties conferred on and required of police officers and patrol officers in cities and towns and of sheriff's deputies in counties, as required by state law and municipal ordinance.

(3) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating officers."

Section 2. Section 7-32-2107, MCA, is amended to read:

"7-32-2107. Tenure for deputy sheriffs -- grounds for termination of employment -- restrictions on evaluations. (1) Any deputy sheriff ~~now~~ employed or who may ~~hereafter~~ be employed shall continue in service until relieved of ~~his~~ employment in the manner ~~hereinafter~~ provided in this part and only for one or more of the following specified causes:

~~(1)~~(a) conviction of a felony subsequent to the commencement of ~~such~~ employment;

~~(2)~~(b) willful disobedience of an order or orders given by the sheriff;

~~(3)~~(c) drinking intoxicating liquor while in uniform or while on official duty or being intoxicated in a public

place while in uniform or while on official duty;

~~(4)~~(d) sleeping while on duty;

~~(5)~~(e) incapacity materially affecting ability to perform official duties;

~~(6)~~(f) gross inefficiency in the performance of official duties.

(2) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating deputies."

Section 3. Section 7-32-4105, MCA, is amended to read:

"7-32-4105. Duties of chief of police. (1) It is the duty of the chief of police:

(a) to execute and return all process issued by the city judge or directed to ~~him~~ the chief by any legal authority and to attend upon the city court regularly;

(b) to arrest all persons guilty of a breach of the peace or for the violation of any city or town ordinance and bring them before the city judge for trial;

(c) to have charge and control of all ~~policemen~~ police officers, subject to ~~such~~ rules ~~as~~ that may be prescribed by ordinance, and to report to the council all delinquencies or neglect of duty or official misconduct of ~~policemen~~ police officers for action of the council;

(d) to perform ~~such~~ other duties as the council may prescribe.

(2) The chief of police has the same powers as a constable in the discharge of ~~his~~ the chief's duties, but ~~he must~~ may not serve a process in any civil action or proceeding except when a city or town is a party.

(3) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating police officers."

Section 4. Section 44-1-302, MCA, is amended to read:

"44-1-302. Powers relating to supervisory personnel -- quotas prohibited. The duties and jurisdiction of the supervisory personnel ~~shall~~ must be outlined and defined by and under the control of the chief. Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating highway patrol officers."

Section 5. Section 46-6-420, MCA, is amended to read:

"46-6-420. Arrest, ~~or~~ citation, or stop quotas prohibited. (1) A state or local government agency employing a peace officer may not adopt and require a peace officer to comply with a quota and may not suggest

a quota for arrests, ~~or~~ citations, or investigative stops for any criminal offense or class of criminal offenses, including violations of traffic or motor vehicle laws, contained in state law, an administrative rule adopted by an agency of the state government, or a local government ordinance.

(2) ~~(a)~~(A) For purposes of this section, "quota" means a specific number of arrests, ~~or~~ citations, or investigative stops.

~~(b) The term does not include the use of generally accepted management techniques that employ performance objectives as part of an overall employee evaluation.~~

(B) THE TERM DOES NOT INCLUDE THE USE OF GENERALLY ACCEPTED MANAGEMENT TECHNIQUES THAT EMPLOY PERFORMANCE OBJECTIVES AS PART OF AN OVERALL EMPLOYEE EVALUATION."

NEW SECTION. **Section 6. Effective date.** [This act] is effective on passage and approval.

- END -

HOUSE BILL NO. 636

INTRODUCED BY BIXBY, SMALL-EASTMAN, DICKENSON, CAMPBELL, BRANAE, JACOBSON, JAYNE, CORDIER, BERGREN, PARKER, GROESBECK, JOPEK

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING QUOTAS FOR STOPS, CITATIONS, AND ARRESTS BY LAW ENFORCEMENT OFFICERS; PROHIBITING THE USE OF QUOTAS IN EVALUATING LAW ENFORCEMENT OFFICERS; AMENDING SECTIONS 7-32-103, 7-32-2107, 7-32-4105, 44-1-302, AND 46-6-420, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-32-103, MCA, is amended to read:

"7-32-103. Structure of department of public safety -- duties -- restrictions on evaluations. (1) The director ~~shall have~~ has the powers and shall perform the duties conferred on and required of sheriffs, police officers, and chiefs of police, except in cases involving the discharge or termination of employment of subordinate employees.

(2) Officers and patrol officers of the city or town police department and deputies of the county sheriff's office ~~shall be~~ are subordinate to the director and ~~shall~~ have the power and shall perform the duties conferred on and required of police officers and patrol officers in cities and towns and of sheriff's deputies in counties, as required by state law and municipal ordinance.

(3) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating officers."

Section 2. Section 7-32-2107, MCA, is amended to read:

"7-32-2107. Tenure for deputy sheriffs -- grounds for termination of employment -- restrictions on evaluations. (1) Any deputy sheriff ~~now~~ employed or who may ~~hereafter~~ be employed shall continue in service until relieved of ~~his~~ employment in the manner ~~hereinafter~~ provided in this part and only for one or more of the following specified causes:

~~(1)~~(a) conviction of a felony subsequent to the commencement of ~~such~~ employment;

~~(2)~~(b) willful disobedience of an order or orders given by the sheriff;

~~(3)~~(c) drinking intoxicating liquor while in uniform or while on official duty or being intoxicated in a public

place while in uniform or while on official duty;

~~(4)~~(d) sleeping while on duty;

~~(5)~~(e) incapacity materially affecting ability to perform official duties;

~~(6)~~(f) gross inefficiency in the performance of official duties.

(2) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating deputies."

Section 3. Section 7-32-4105, MCA, is amended to read:

"7-32-4105. Duties of chief of police. (1) It is the duty of the chief of police:

(a) to execute and return all process issued by the city judge or directed to ~~him~~ the chief by any legal authority and to attend upon the city court regularly;

(b) to arrest all persons guilty of a breach of the peace or for the violation of any city or town ordinance and bring them before the city judge for trial;

(c) to have charge and control of all ~~policemen~~ police officers, subject to ~~such~~ rules ~~as~~ that may be prescribed by ordinance, and to report to the council all delinquencies or neglect of duty or official misconduct of ~~policemen~~ police officers for action of the council;

(d) to perform ~~such~~ other duties as the council may prescribe.

(2) The chief of police has the same powers as a constable in the discharge of ~~his~~ the chief's duties, but ~~he must~~ may not serve a process in any civil action or proceeding except when a city or town is a party.

(3) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating police officers."

Section 4. Section 44-1-302, MCA, is amended to read:

"44-1-302. Powers relating to supervisory personnel -- quotas prohibited. The duties and jurisdiction of the supervisory personnel ~~shall~~ must be outlined and defined by and under the control of the chief. Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating highway patrol officers."

Section 5. Section 46-6-420, MCA, is amended to read:

"46-6-420. Arrest, ~~or~~ citation, or stop quotas prohibited. (1) A state or local government agency employing a peace officer may not adopt and require a peace officer to comply with a quota and may not suggest

a quota for arrests, ~~or~~ citations, or investigative stops for any criminal offense or class of criminal offenses, including violations of traffic or motor vehicle laws, contained in state law, an administrative rule adopted by an agency of the state government, or a local government ordinance.

(2) ~~(a)~~(A) For purposes of this section, "quota" means a specific number of arrests, ~~or~~ citations, or investigative stops.

~~(b) The term does not include the use of generally accepted management techniques that employ performance objectives as part of an overall employee evaluation.~~

~~(B) THE TERM DOES NOT INCLUDE THE USE OF GENERALLY ACCEPTED MANAGEMENT TECHNIQUES THAT EMPLOY PERFORMANCE OBJECTIVES AS PART OF AN OVERALL EMPLOYEE EVALUATION.~~"

NEW SECTION. **Section 6. Effective date.** [This act] is effective on passage and approval.

- END -

AN ACT PROHIBITING QUOTAS FOR STOPS, CITATIONS, AND ARRESTS BY LAW ENFORCEMENT OFFICERS; PROHIBITING THE USE OF QUOTAS IN EVALUATING LAW ENFORCEMENT OFFICERS; AMENDING SECTIONS 7-32-103, 7-32-2107, 7-32-4105, 44-1-302, AND 46-6-420, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-32-103, MCA, is amended to read:

"7-32-103. Structure of department of public safety -- duties -- restrictions on evaluations. (1) The director ~~shall have~~ has the powers and shall perform the duties conferred on and required of sheriffs, police officers, and chiefs of police, except in cases involving the discharge or termination of employment of subordinate employees.

(2) Officers and patrol officers of the city or town police department and deputies of the county sheriff's office ~~shall be~~ are subordinate to the director and ~~shall~~ have the power and shall perform the duties conferred on and required of police officers and patrol officers in cities and towns and of sheriff's deputies in counties, as required by state law and municipal ordinance.

(3) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating officers."

Section 2. Section 7-32-2107, MCA, is amended to read:

"7-32-2107. Tenure for deputy sheriffs -- grounds for termination of employment -- restrictions on evaluations. (1) Any deputy sheriff ~~now~~ employed or who may ~~hereafter~~ be employed shall continue in service until relieved of ~~his~~ employment in the manner ~~hereinafter~~ provided in this part and only for one or more of the following specified causes:

~~(1)~~(a) conviction of a felony subsequent to the commencement of ~~such~~ employment;

~~(2)~~(b) willful disobedience of an order or orders given by the sheriff;

~~(3)~~(c) drinking intoxicating liquor while in uniform or while on official duty or being intoxicated in a public place while in uniform or while on official duty;

~~(4)~~(d) sleeping while on duty;

~~(5)~~(e) incapacity materially affecting ability to perform official duties;

~~(6)~~(f) gross inefficiency in the performance of official duties.

(2) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating deputies."

Section 3. Section 7-32-4105, MCA, is amended to read:

"7-32-4105. Duties of chief of police. (1) It is the duty of the chief of police:

(a) to execute and return all process issued by the city judge or directed to ~~him~~ the chief by any legal authority and to attend upon the city court regularly;

(b) to arrest all persons guilty of a breach of the peace or for the violation of any city or town ordinance and bring them before the city judge for trial;

(c) to have charge and control of all ~~policemen~~ police officers, subject to ~~such~~ rules ~~as~~ that may be prescribed by ordinance, and to report to the council all delinquencies or neglect of duty or official misconduct of ~~policemen~~ police officers for action of the council;

(d) to perform ~~such~~ other duties as the council may prescribe.

(2) The chief of police has the same powers as a constable in the discharge of ~~his~~ the chief's duties, but ~~he must~~ may not serve a process in any civil action or proceeding except when a city or town is a party.

(3) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating police officers."

Section 4. Section 44-1-302, MCA, is amended to read:

"44-1-302. Powers relating to supervisory personnel -- quotas prohibited. The duties and jurisdiction of the supervisory personnel ~~shall~~ must be outlined and defined by and under the control of the chief. Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating highway patrol officers."

Section 5. Section 46-6-420, MCA, is amended to read:

"46-6-420. Arrest, ~~or~~ citation, or stop quotas prohibited. (1) A state or local government agency employing a peace officer may not adopt and require a peace officer to comply with a quota and may not suggest

a quota for arrests, ~~or~~ citations, or investigative stops for any criminal offense or class of criminal offenses, including violations of traffic or motor vehicle laws, contained in state law, an administrative rule adopted by an agency of the state government, or a local government ordinance.

(2) ~~(a)~~ For purposes of this section, "quota" means a specific number of arrests, ~~or~~ citations, or investigative stops.

~~(b) The term does not include the use of generally accepted management techniques that employ performance objectives as part of an overall employee evaluation.~~"

Section 6. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 0636, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2019.

President of the Senate

Signed this _____ day
of _____, 2019.

HOUSE BILL NO. 636

INTRODUCED BY BIXBY, SMALL-EASTMAN, DICKENSON, CAMPBELL, BRANAE, JACOBSON, JAYNE, CORDIER, BERGREN, PARKER, GROESBECK, JOPEK

AN ACT PROHIBITING QUOTAS FOR STOPS, CITATIONS, AND ARRESTS BY LAW ENFORCEMENT OFFICERS; PROHIBITING THE USE OF QUOTAS IN EVALUATING LAW ENFORCEMENT OFFICERS; AMENDING SECTIONS 7-32-103, 7-32-2107, 7-32-4105, 44-1-302, AND 46-6-420, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Diane Rice, on February 15, 2007 at 8:00 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:
Rep. Diane Rice, Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Ron Stoker, Vice Chairman (R)
Rep. Douglas Cordier (D)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. George Everett (R)
Rep. Julie French (D)
Rep. Rick Jore (C)
Rep. Krayton Kerns (R)
Rep. Roger Koopman (R)
Rep. Deborah Kottel (D)
Rep. Tom McGillvray (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Holly Raser (D)
Rep. John Ward (R)

Members Excused: None.

Members Absent: None.

Staff Present: David Niss, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:
Hearing & Date Posted: HB 534, HB 590, HB 629, HB 632, HB 636, 2/8/2007
Executive Action: HB 534

HEARING ON HB 534

Opening Statement by Sponsor:

00:02:15 Rep. Ron Erickson (D), HD 93, opened the hearing on HB 534, Motorcycle helmet law.
EXHIBIT(juh34a01)
EXHIBIT(juh34a02)

Proponents' Testimony:

00:06:46 Rep. Betsy Hands
00:15:43 Jim Kembel, Montana Association of Chiefs of Police
00:16:20 Mike Foster, Sisters of Charity Hospitals, ST. Vincent Healthcare, St. James Healthcare, Holy Rosary Healthcare, Wheatland Memorial Hospital
EXHIBIT(juh34a03)
00:20:13 Anita Rossman, Montana Advocacy Program, Montana Brain Injury Association
00:21:53 Barbara Schneeman, Yellowstone City-County Health Department
00:24:31 Jani McCall, Billings Clinic
00:26:33 Steve Yeakel, Montana Council for Maternal and Child Health
00:28:35 Beda Lovitt, Montana Medical Association
00:30:05 Jim Ahrens, Montana Hospital Association
01:10:51 Todd Harwell, Chronic Disease Health Bureau, Department of Health and Human Services, State of Montana

Exhibits Mailed or Faxed in Support of HB 534:

EXHIBIT(juh34a04)
EXHIBIT(juh34a05)

Opponents' Testimony:

00:30:50 Dal Smilie, Chairman, American Motorcycle Association, Montana Motorcycle Safety Advisory Association
EXHIBIT(juh34a06)
EXHIBIT(juh34a07)
00:36:59 Sen. John Bruggeman, SD, 6
00:40:25 Jill Z. Smith, American Bikers Aiming Toward Education, (ABATE)
EXHIBIT(juh34a08)
00:44:00 Romana Ennis, Great Falls Trail Bike Riders Association, Montana Trail Riders
00:44:48 Linda Baldwin, Secretary, Montana Bikers Association
EXHIBIT(juh34a09)

00:50:08 Jackie Williams, self
EXHIBIT(juh34a10)
00:50:55 Jeff, Whorl, Motorcycle Shop Owner
00:51:41 Paul Williams, self
00:52:08 Tim Marr, self
00:52:53 Loretta Miller, self
EXHIBIT(juh34a11)
00:54:11 Ralph Elrod, Former Emergency Medical Technician
00:56:44 Dave Johnson, self
00:57:35 Richard Looby, self
00:59:02 Mike Ortloff, Motorcycle Shop Owner
01:00:42 Michael Smith, self
EXHIBIT(juh34a12)
01:01:12 Dennis Miller, self
01:02:38 Albert Jensen, self
EXHIBIT(juh34a13)
01:03:49 Richard Palmer, self
01:03:57 Clay Hickman, self
01:04:12 Mike Meredith, self

01:05:32 Time expired for Opponents; Opponents were allowed
01:07:49 to state their name and opposition

Exhibits Mailed or Faxed in Opposition of HB 534:

EXHIBIT(juh34a14)
EXHIBIT(juh34a15)

Informational Testimony:

01:07:53 Mr. Harwell testified at the hearing on HB 534 as an Informational witness; Chairman Rice deemed him to a Proponent witness.
EXHIBIT(juh34a16)

Additional Exhibits HB 534:

EXHIBIT(juh34a17)
EXHIBIT(juh34a18)

Questions from Committee Members and Responses:

01:09:54 Rep. Kottel
01:10:30 Mr. Smilie
01:17:22 Rep. Gallik
01:18:05 Mr. Meredith
01:19:47 Mr. Smilie
01:22:06 Mr. Foster

01:24:13 Rep. Everett
01:24:33 Mr. Foster

Closing by Sponsor:

01:25:02 Rep. Erickson

EXECUTIVE ACTION ON HB 534

01:28:50 **Motion**: Rep. Stoker moved that **HB 534 DO PASS.**

01:29:23 **Motion**: Rep. Gallik moved that **HB 534 BE AMENDED** with a **CONCEPTUAL AMENDMENT** for Page 2, Line 1, to insert "...unless that person has proof of insurance of not less than $1 million dollars...."

01:30:01 **Substitute Motion**: Rep. Gallik made a substitute motion that **HB 534 BE AMENDED** with a **CONCEPTUAL AMENDMENT** for Page 2, Line 1, to insert "...unless that person has proof of insurance of not less that $100 thousand dollars."

Discussion

01:30:29 Rep. French
01:30:38 Rep. Gallik
01:32:30 Rep. Driscoll
01:33:09 Rep. Rice
01:33:35 Rep. Ward
01:33:40 Rep. Gallik

01:34:08 **Vote**: Motion that **HB 534 BE AMENDED** failed 8-9 by roll call vote with Reps. Gallik, French, Raser, Cordier, Peterson, O'Hara, Kottel, and Ebinger voting aye. Rep. Koopman voted by proxy.

Discussion:

01:35:12 Rep. Everett

01:35:37 **Motion/Vote**: Rep. Driscoll moved that **HB 534 BE AMENDED** with a **CONCEPTUAL AMENDMENT** for Page 2, Line 1, insert "...a DOT approved or Schell Helmut." Motion carried 9-8 by roll call vote with Reps. Stoker,

Everett, Koopman, Kerns, McGillvray, Ward, Jore, and Rice voting no. Rep. Koopman voted by proxy.

01:37:33 **Motion**: Rep. Stoker moved that **HB 534 DO PASS AS AMENDED.**

01:37:41 **Motion/Vote**: Rep. Gallik moved that **HB 534 BE AMENDED** with a **CONCEPTUAL AMENDMENT** to insert on Page 2, Line 11, "...not...." Motion failed by roll call vote 8-9 with Reps. Gallik, French, Raser, Cordier, Driscoll, O'Hara, Kottel, and Ebinger voting aye.

Discussion:

01:39:14 Rep. Raser
01:39:26 Rep. Gallik

01:40:12 **Substitute/Motion/Vote**: Rep. Everett moved that **HB 534 BE TABLED.** Motion carried 15-2 by roll call vote with Reps. Driscoll and Peterson voting no. Rep. Koopman voted by proxy.

01:40:50 Break
01:49:31 Reconvene

HEARING ON HB 629

Opening Statement by Sponsor:

01:49:48 Rep. Robin Hamilton (D), HD 92, opened the hearing on HB 629, Mediation for criminal proceedings.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:53:54 Rep. French
01:54:20 Rep. Hamilton
01:54:36 Rep. Stoker
01:54:55 Rep. Hamilton
01:56:16 Rep. Cordier
01:56:42 Rep. Hamilton
01:56:58 Rep. Jore
01:58:24 Rep. Hamilton
02:00:19 Rep. Peterson

02:01:02 Rep. Hamilton
02:02:13 Rep. Stoker
02:02:30 Rep. Hamilton
02:02:46 Rep. Gallik
02:03:50 Rep. Hamilton
02:05:01 Rep. Kottel
02:06:05 Rep. Hamilton
02:06:57 Rep. Peterson
02:07:26 Rep. Hamilton

Closing by Sponsor:

02:07:46 Rep. Hamilton

(Rep. Koopman enters room.)

HEARING ON HB 636

Opening Statement by Sponsor:

02:09:38 Rep. Norma Bixby (D), HD 41, opened the hearing on HB 636, Prohibit quotas in evaluating law enforcement officers.
EXHIBIT(juh34a19)
EXHIBIT(juh34a20)

Proponents' Testimony:

02:24:24 Kathleen Burrage, self

Opponents' Testimony:

02:25:13 Pam Bucy, Assistant Attorney General, Department of Justice, State of Montana
EXHIBIT(juh34a21)
02:36:26 Jim Kembel, Montana Association of Chiefs of Police

Informational Testimony: None

Questions from Committee Members and Responses:

02:37:34 Rep. French
02:38:29 Ms. Bucy
02:44:02 Rep. Stoker
02:45:25 Paul Grimstad, Colonel, Montana Highway Patrol, State of Montana
02:46:41 Rep. Everett
02:47:00 Col. Grimstad
02:48:32 Rep. Koopman

02:50:21 Col. Grimstad
02:53:27 Rep. Peterson
02:53:57 Ms. Bucy
02:54:57 Rep. Peterson
02:55:36 Rep. Bixby
02:55:47 Rep. McGillvray
02:56:45 Ms. Bucy

Closing by Sponsor:

02:57:06 Rep. Bixby

HEARING ON HB 590

Opening Statement by Sponsor:

03:03:22 Rep. George Everett (R), HD 5, opened the hearing on HB 590, Revise requirements for growth policy.
EXHIBIT(juh34a22)

Proponents' Testimony:

03:05:22 Jeff Larson, Former Chairman, Flathead County Planning Board
03:13:04 Russell Crowder, Flathead County Zoning Regulation Review Board, American Dream Montana
03:18:48 Charles Lapp, Flathead County Planning Board
03:23:49 Dick Skees, self
03:28:16 Michael Harris, Gallatin County Liaison
03:29:01 Rich Breckenridge, self

Opponents' Testimony:

03:30:39 Linda Stoll, Missoula County, Montana Association of County Planners

Informational Testimony: None

Questions from Committee Members and Responses:

03:35:59 Rep. Driscoll
03:37:12 Mr. Larson
03:39:28 Rep. Stoker
03:40:04 Ms. Stoll
03:42:39 Rep. Jore
03:43:46 Ms. Stoll
03:46:52 Rep. Koopman
03:48:08 Mr. Larson
03:49:39 Mr. Skees

03:55:09 Rep. Raser
03:56:03 Mr. Larson
03:57:15 Ms. Stoll

Closing by Sponsor:

03:58:41 Rep. Everett

HEARING ON HB 630

Opening Statement by Sponsor:

03:59:25 Rep. Dave Gallik (D), HD 79, opened the hearing on HB 630, Restrict internet phishing.

Proponents' Testimony:

04:00:59 Pam Bucy, Assistant Attorney General, Department of Justice, State of Montana
04:04:17 Claudia Clifford, AARP, Montana

Opponents' Testimony: None

Informational Testimony:

04:06:21 Steve Bender, Deputy Chief Information Officer, Information Technology Services Division, Department of Administration, State of Montana

Questions from Committee Members and Responses:

04:07:32 Rep. Stoker
04:08:12 David Niss, Legislative Staffer
04:08:26 Ms. Bucy

Closing by Sponsor:

04:09:44 Rep. Gallik

ADJOURNMENT

Adjournment: 12:11 P.M.

_____
REP. DIANE RICE, Chairman

_____
PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

EXHIBIT(juh34aad.pdf)

EXHIBIT 19
DATE 2/15/07
HB 636

(b) is not civilly liable for any reasonable conduct in aid of the officer.

History: En. 95-609 by Sec. 1, Ch. 196, L. 1967; amd. Sec. 60, Ch. 535, L. 1975; R.C.M. 1947, 95-609; amd. Sec. 38, Ch. 800, L. 1991.

Cross-References

Failure to aid peace officer, 45-7-304.

46-6-403. Renumbered 46-6-313. Code Commissioner, 1991.

46-6-404. Renumbered 46-6-310. Code Commissioner, 1991.

46-6-405 through 46-6-410 reserved.

46-6-411. Assisting officer of another state. (1) Any peace officer of another state, of the United States, or of the District of Columbia who enters this state in close pursuit of a person in order to arrest the person has the same authority to arrest and hold the person in custody as peace officers of this state have to arrest and hold in custody a person on the ground that the person has committed a crime in this state.

(2) If an arrest is made in this state by an officer of another state, of the United States, or of the District of Columbia, the officer shall without unnecessary delay take the arrested person before a judge of a court of record, who shall conduct a hearing for the sole purpose of determining if the arrest was in accordance with the provisions of subsection (1) and not for the purpose of determining the guilt or innocence of the arrested person.

(3) If the judge determines that the arrest was in accordance with subsection (1), the judge shall commit the arrested person to the custody of the officer making the arrest, who shall without unnecessary delay take the arrested person to the state from which that person fled. If the judge determines that the arrest was unlawful, the judge shall discharge the person arrested.

(4) This section may not be construed to make unlawful any arrest in this state that would otherwise be lawful.

History: En. 95-619 by Sec. 1, Ch. 196, L. 1967; R.C.M. 1947, 95-619(part); amd. Sec. 39, Ch. 800, L. 1991.

46-6-412. Arrest by officer of the United States customs service or immigration and naturalization service. An officer of the United States customs service or immigration and naturalization service may make an arrest without a warrant if the officer is on duty and one or more of the following situations exist:

(1) A person commits or attempts to commit an offense in the officer's presence.

(2) The officer believes on reasonable grounds that the person is committing an offense or that the person committed an offense and the circumstances require his immediate arrest.

(3) The officer believes on reasonable grounds that a warrant for the person's arrest has been issued in this state.

(4) The officer believes on reasonable grounds that a felony warrant for the person's arrest has been issued in another jurisdiction.

History: En. Sec. 1, Ch. 107, L. 1983.

Cross-References

Sovereignty and jurisdiction of state, 2-1-102.

46-6-413 through 46-6-419 reserved.

46-6-420. Arrest or citation quotas prohibited. (1) A state or local government agency employing a peace officer may not adopt and require a peace officer to comply with a quota and may not suggest a quota for arrests or citations for any criminal offense or class of criminal offenses, including violations of traffic or motor vehicle laws, contained in state law, an administrative rule adopted by an agency of the state government, or a local government ordinance.

(2) (a) For purposes of this section, "quota" means a specific number of arrests or citations.

(b) The term does not include the use of generally accepted management techniques that employ performance objectives as part of an overall employee evaluation.

History: En. Sec. 1, Ch. 242, L. 2005.

Compiler's Comments

Effective Date: Section 3, Ch. 242, L. 2005, provided that this section is effective on passage and approval. Approved April 15, 2005.

46-6-421. Renumbered 46-6-601. Code Commissioner, 1991.

46-6-422. Renumbered

46-6-501. Repealed. S
History: En. 95-611.1 by Se

46-6-502. Arrest by pr
is probable cause to believe t
existing circumstances requ
(2) A private person ma
enforcement agency or peac
agency.
History: En. 95-611 by Sec
amd. Sec. 40, Ch. 800, L. 1991.
Cross-References
Limitation on arrest authorit

46-6-503. Repealed.
History: En. 95-611 by Sec

46-6-504. Repealed.
History: En. 95-611.2 by S

46-6-505. Custody b
of a person arrested by a pr
and as otherwise provided
History: En. Sec. 41, Ch.

46-6-506. Temporar
30-11-301, who has reas
committing the offense of
(a) shall promptly inf
upon completion of the inv
a peace officer;
(b) may demand the
reasonable manner for t
shoplifting;
(c) may take into po
paid and that is in the p
(d) may detain the
officer arrives.
(2) A stop, detentio
done in a reasonable ma
to the merchant, this se
search of the person's c
After the purpose of a st
first, the merchant shal
the custody of a peace o
(3) A merchant sto
shoplifting is not liable
to this section.
(4) As used in this
(a) "Concealment"
the premises of a whol
deprive the merchant
deceptive conduct is p
(i) concealing me
merchandise from full
(ii) removing, char

EXHIBIT 20
DATE 2/15/07
HB 636

AG: Patrol will drop 'guidelines' for officers

By CHARLES S. JOHNSON - IR State Bureau - 07/14/05

HELENA — Attorney General Mike McGrath said Wednesday the Montana Highway Patrol is expected to drop its controversial "guidelines" on how many traffic stops its officers are encouraged to be make each hour.

The attorney general, who as the state's chief law enforcement officer oversees the patrol, said there are evolving standards on how the Highway Patrol management should evaluate the performance of the patrol officers on the road.

"In the next few weeks, we will have a written final policy on how we evaluate performance," McGrath said. "I think it's safe to say there won't be any numbers for stops and DUIs."

Later this summer, the Highway Patrol and Justice Department will issue a "specific written policy so that prosecutors and defense attorneys understand what the specific polices are," he said.

Since July 1, each patrol officer driving on the state's roads has been expected to meet the target of stopping at least one vehicle per hour, even if no tickets are issued, the State Bureau reported last week. These goals don't apply to officers when investigating accidents, receiving training or testifying in court.

The patrol's chief, Col. Paul Grimstad, last week described these targets as guidelines — not quotas —aimed at reducing traffic accidents, fatalities and drunken driving on the state's highways. He said the public is expecting more out of the Highway Patrol after the Legislature gave officers a higher pay raise than other state employees and expanded the patrol staff.

Grimstad also implemented guidelines in December 2004 for each officer to issue at least 12 tickets a year for alcohol-related infractions such as driving or walking while intoxicated.

Asked why the Justice Department and Highway Patrol are dropping these guidelines in evaluating patrol officers, McGrath said these goals were "never going to do."

"The Legislature said don't do quotas," he said.

McGrath said the alcohol-related citation goal "is totally gone" because it's inconsistent with a 2005 law prohibiting local and state law enforcement quotas on tickets, except when used to evaluate an officer's job performance. He thought this goal was dropped this spring.

As for the traffic-stop-an-hour goal, McGrath said, "It's clear that's probably not going to work either. People interpret that as a violation of the law."

It's not, McGrath said, because the goal isn't intended for citations but as a means for managers to evaluate the job performance of Highway Patrol officers.

The 2005 Legislature passed and Gov. Brian Schweitzer signed into law a proposal by

ATTORNEY GENERAL
STATE OF MONTANA

EXHIBIT 21
DATE 2/15/07
HB 636

Mike McGrath
Attorney General

Department of Justice
215 North Sanders
PO Box 201401
Helena, MT 59620-1401

February 1, 2007

Norma Bixby
House District 41
State Capital
Helena, MT 59620

Dear Norma:

Per your request of January 18, 2006, we have pulled together information regarding how surrounding states evaluate their state troopers in field activity. As we explained in our presentation to you, our evaluation is a range from 80% to 120% of the detachment average. We drop the highest and lowest activity officer from each detachment and then take the average. If you are below or above the 80% or 120% average, the appropriate sergeant will seek an explanation. This will assist supervisors in determining low performers as well as troops that are possibly making borderline enforcement decisions.

As you can see, Montana's approach is much more sensitive to biased based policing issues than most of our surrounding states; while at the same time providing patrol administration with some objective criteria for evaluating officers. We have worked very hard in Montana to educate law enforcement on cultural issues. We are miles ahead of most states in this area and though we understand that things are not perfect, we are quite proud of our achievements and hoped that you would be as well.

We hope that this information is helpful to you. We would respectfully request that you make no changes to the racial profiling laws and anti-quota laws in Montana. Please do not hesitate to contact me if I can be of further assistance.
Sincerely,

Pamela Bucy
Assistant Attorney General

Surrounding States Evaluation Systems for Self-Initiated Field Activity

North Dakota

One Contact/Hour

This means tickets, warnings, public assists, inspections, etc. NDHP has been using this type of system successfully for the past 5 years.

Idaho

Detachment Average

Each Sergeant evaluates the needs of their area and identifies the enforcement efforts needed to combat or deter traffic problems. A constant review of their efforts and output generate a detachment average that the troops in the particular detachment are held accountable to.

Oklahoma

Contacts Per Hour Based on Detachment Average

OHP tracks only tickets in this area.

Wyoming

One Contact/Hour

This includes a tickets, warnings, inspections, and public assists.

Utah

Freedom Based Performance Plan

This system allows the individual trooper to identify how they will focus their efforts at the beginning of the year based on the needs of their area. The trooper sits down with the First-Line Supervisor and writes their own goals for the year which includes enforcement numbers. Each trooper is then held accountable for the goals they have set. Each trooper has to outline for the supervisor how they will accomplish their respective goals.

South Dakota

They do not track numbers at the District level although they do unofficially at the detachment level. When they see a decline in enforcement or work activity it is up to the supervisor to conduct ride-along to determine what the issues are. The current system has made evaluation of performance more difficult. Top performing troopers receive a 2% pay increase in base pay annually. (System in place for over 15 years.) Substandard performers get nothing and a correction action system is utilized. Generally all South Dakota state employees also get 3% COLA annually. Usually 1/3 of field troops get 2% annually.

Nebraska

Detachment Average

This includes all tickets, warnings, public assists, crashes, and inspections.

Colorado

District Established Goals

The Colorado State Patrol allows each District to determine the needs of their area and establish goals as a team to combat their traffic problems. The goals of course vary from District to District. At the end of the year the individual team is given a score based on:

How many hours of teams operations that were conducted.

How many hours of targeted DUI operations were conducted.

How many miles traveled between citations issued.

(20 miles 3 points**30 miles 2.5 points**40 miles 2 points)

Numerical ratings are used up the chain of command from Trooper, to Sergeant, to Captain to determine the effectives of their efforts. In the end the efforts of the District rest on everyone's shoulders. Some of the Detachments have even established a goal for each trooper that required only 14 miles traveled between stops.

Sen. Frank Smith, D-Poplar, that specifically prohibits local and state law enforcement agencies from imposing specific "quotas" telling officers how many arrests they must make or tickets they must issue.

As amended by Sen. Jeff Mangan, D-Great Falls, the law provides an exemption, by saying that quota "does not include the use of generally accepted management techniques that employ performance objectives as part of an overall employee evaluation."

Rep. Jonathan Windy Boy, D-Rocky Boy, warned this week that these goals could lead to racial profiling near the state's American Indian reservations. Grimstad disagreed.

Windy Boy said he would push in the anticipated special legislative session later this year to outlaw the guidelines as well as quotas.

McGrath said the issue facing the Highway Patrol is how best to evaluate the job being done by its officers.

"How does a manager determine whether a person is adequately performing their job as a Highway Patrol officer?" McGrath asked. There are other ways besides stop guidelines and ticket targets for a patrol sergeant to evaluate the job done by an officer, but the agency will still use "management by objective."

Among the potential measurements, he said, are how did the officer do testifying in court, what kind of complaints have been registered about the officer, how prolific is an officer in investigating accident and how proficient is the officer's driving skills.

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE: 2/16/07

NAME	PRESENT	ABSENT/ EXCUSED
REP. RON STOKER, VICE CHAIR	✓	
REP. DAVE GALLIK, VICE CHAIR	✓	
REP. JULIE FRENCH	✓	
REP. GEORGE EVERETT	✓	
REP. HOLLY RASER	✓	returned late in hearing.
REP. ROGER KOOPMAN	✓ (later)	
REP. DOUGLAS CORDIER	✓	
REP. KRAYTON KERNS	✓	
REP. ROBYN DRISCOLL	✓	
REP. KEN PETERSON	✓	
REP. JESSE O'HARA	✓	
REP. TOM MCGILLVRAY	✓	
REP. DEBORAH KOTTEL	✓	
REP. JOHN WARD	✓	
REP. BOB EBINGER	✓	
REP. RICK JORE	✓	
CHAIRMAN DIANE RICE	✓	

COMMITTEE FILE COPY

TABLED BILL

The **HOUSE JUDICIARY COMMITTEE** TABLED **HB 534**, by motion, on **Thursday, February 15, 2007.**

(For the Committee)

(Chief Clerk of the House)

1:30 / 2/15
(Time) (Date)

February 15, 2007 Pamela E. Schindler, Secretary Phone: 444-4607

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/15/07 BILL NO SB4 MOTION NO. 3

MOTION: Sub Comm $100,000 amendment

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR		✓	
REP. DAVE GALLIK, VICE CHAIR	✓		
REP. JULIE FRENCH	✓		
REP. GEORGE EVERETT		✓	
REP. HOLLY RASER	✓		
REP. ROGER KOOPMAN		✓	✓
REP. DOUGLAS CORDIER	✓		
REP. KRAYTON KERNS		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEN PETERSON	✓		
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY		✓	
REP. DEBORAH KOTTEL	✓		
REP. JOHN WARD		✓	
REP. BOB EBINGER	✓		
REP. RICK JORE		✓	
CHAIRMAN DIANE RICE		✓	

8 9 fails

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/15/07 BILL NO SB4 MOTION NO. 4
MOTION: " DOT or Schnell Helmuth " amendment

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR		✓	
REP. DAVE GALLIK, VICE CHAIR	✓		
REP. JULIE FRENCH	✓		
REP. GEORGE EVERETT		✓	
REP. HOLLY RASER	✓		
REP. ROGER KOOPMAN		✓	✓
REP. DOUGLAS CORDIER	✓		
REP. KRAYTON KERNS		✓	
REP. ROBYN DRISCOLL	✓		
REP. KEN PETERSON	✓		
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY		✓	
REP. DEBORAH KOTTEL	✓		
REP. JOHN WARD		✓	
REP. BOB EBINGER	✓		
REP. RICK JORE		✓	
CHAIRMAN DIANE RICE		✓	

9/8

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/15/07 BILL NO SB4 MOTION NO. 5

MOTION: Conceptual amend "not"

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR		✓	
REP. DAVE GALLIK, VICE CHAIR	✓		
REP. JULIE FRENCH	✓		
REP. GEORGE EVERETT		✓	
REP. HOLLY RASER	✓		
REP. ROGER KOOPMAN		✓	✓
REP. DOUGLAS CORDIER	✓		
REP. KRAYTON KERNS		✓	
REP. ROBYN DRISCOLL	✓		
REP. KEN PETERSON		✓	
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY		✓	
REP. DEBORAH KOTTEL	✓		
REP. JOHN WARD		✓	
REP. BOB EBINGER	✓		
REP. RICK JORE		✓	
CHAIRMAN DIANE RICE		✓	

8/9

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/15/07 BILL NO S34 MOTION NO. 6
MOTION: Tabled

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	✓		
REP. DAVE GALLIK, VICE CHAIR	✓		
REP. JULIE FRENCH	✓		
REP. GEORGE EVERETT	✓		
REP. HOLLY RASER	✓		
REP. ROGER KOOPMAN	✓		✓
REP. DOUGLAS CORDIER	✓		
REP. KRAYTON KERNS	✓		
REP. ROBYN DRISCOLL		✓	
REP. KEN PETERSON		✓	
REP. JESSE O'HARA	✓		
REP. TOM MCGILLVRAY	✓		
REP. DEBORAH KOTTEL	✓		
REP. JOHN WARD	✓		
REP. BOB EBINGER	✓		
REP. RICK JORE	✓		
CHAIRMAN DIANE RICE	✓		

15 / 2

AUTHORIZED
COMMITTEE PROXY

I request to be excused from the House Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:

Ron Stokes

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
CONC A HB 534 Gallik		X
CONC A- 534		X
CONC A 534		X
TABLE	X	

BILL/AMENDMENT	AYE	NO

Rep. Roger Rogers
(Signature)

Date 2/15/2007

S:\Word Processing\Forms\Proxy.wpd

Montana House of Representatives
Visitors' Register

Judiciary COMMITTEE Date 2/15/07

Bill Nos. 534 Sponsor(s) Erickson

PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name	Representing	Bill No.	Support	Oppose	Info.
Clyde K. McLaren	ABATE	HB534		X	
JT COUGHLAN	Servants for Christ	HB534		X	
W.V. Price	Servants	HB534		X	
Manny L. Powers	Servants for Christ	HB 534		X	
Monty O'Bryant	Servants For Christ	HB 534		X	
Michael Smith	ABATE	HB 534		+	
Bud CLARKE	A BATE	HB534		X	
Carol Smith	ABATE	HB 534		+	
Robin Morgan	ABATE	HB 534		+	
JEFF LAPHAM	ABATE/CMA/AMA	HB534		X	
ODELL CANTRELL	MONGOLS M/C	HB534		X	
Terry Smith	ABATE	HB534		X	
Montel Sorrey	Mongols M/C	HB534		X	
Dennis S. Miller	Self	HB534		X	
Ralph Elrod	Barons MC	"		X	
BARRY BEARDSLEE	SELF	HB534		X	
ROGER HAGAN	MTVRA	HB534		X	
M. McORKhoff	Self	HB534		X	
STEVE KOESTER	MYSELF	HB534		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors' Register

Judiciary COMMITTEE Date 2/15/07

Bill Nos. 534 Sponsor(s) Erickson

PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name	Representing	Bill No.	Support	Oppose	Info.
Larry Beagley	ABATE	HB-534		X	
Dean Zimmermann	ABATE	HB-534		X	
Lee Whatley	ABATE	HB 534		X	
Jill Z Smith	ABATE	HB534		X	
MIKE ANDERSON	H.O.G.	HB534		X	
Albert Jensen	ABATE	HB534		X	
Richard Palmer	HOG	HB534		X	
Allen ARMSTRONG	HOG	HB534		X	
Randy Baldwin	ABATE	HB534		X	
Mike Meredith	MCRA	HB534		X	
Paul Williams	ABATE	HB534		X	
Rick Tooby	ABATE	HB534		X	
Jim Burgess	ABate	HB534		X	
Robert Alexander	ABATE	HB534		X	
Shannon Alexander	ABATE	HB534		X	
Larry A. Vermillion	ABATE	HB534		X	
Terence F. Zinn	Abate	HB534		X	
[illegible]	Abate	HB534		X	
[illegible]	ABATE	HB534		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors' Register

Judiciary COMMITTEE Date 2/15/07

Bill Nos. 534, 590, 629, 630, 636 Sponsor(s) Erickson, Everett, Hamilton, Gallik, Bixby

PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name	Representing	Bill No.	Support	Oppose	Info.
Jim Kembel	MACOP	HB 534	X		
Jim Kembel	MACOP	HB636		X	
Mike Foster	SVH, SJH, HRH, WMH	HB534	X		
Barbara Schreeman	Yellowstone C/C Health	HB534	X		
DAL Smilie	AMA	HB534		X	
Paul K. Grinstead	DOJ-MHP	HB636		X	
Ramona Ehnes	MTVRA/GOTBMA	HB534		X	
Kacka Williams		HB534		X	
DAVE JOHNSON	JOHNSON FABRICATION	HB534		X	
Jeff Wuerl	Jeff's Cycle	HB534		X	
John Berry	ABATE - Helena	HB534		X	
Norm Lynch	Rider	HB534		X	
JOHN BROWN	ABATE - HELENA	HB534		X	
Clay Hickman	ABATE Helena	HB534		X	
Frank B Hindman		HB534		X	
Linda R Baldwin	ABATE of Montana	HB534		X	
Loretta Miller		HB534		X	
RON MILLER		HB534		X	
Jani McCall	Billings Clinic	HB534	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Judicial

1854, 1856, 1858,

Fillmore, Pierce, Buchanan,

1/15/04

6

Montana House of Representatives
Visitors' Register

Judiciary COMMITTEE Date 2-15-07

Bill Nos. 534 Sponsor(s) Erickson

PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name	Representing	Bill No.	Support	Oppose	Info.
Andy Rose	Helmet Law HB534			✓	
Edwin P Smith	HB534			✓	
Dave V TCBOARD	HB534			✓	
George Perman	HB534			✓	
Bert Duran	HB534			✓	
Rick Johnston	Helmet Law			✓	
Steve Yeakel	MT Council for MCH	534	✓		
Jane HAMMAN	MTEA / AAA	534			✓
Bob Lovity	MT Med Assn	534	✓		
Tim Osie	MTEA / Assn	534		✓	
John Noble	HB534	534		✓	
John Rennick	HB534			✓	
Jim Ahrens	~~HB534~~ MHH	534	✓		
CZ Osborne	HB534	534		✓	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors' Register

JUDICIARY COMMITTEE Date 2/15/07

Bill Nos. 534 Sponsor(s) Ekrem

PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name	Representing	Bill No.	Support	Oppose	Info.
ANITA ROESSMANN	Mont. Brain Injury Association		X		
John TARR	ME	534		X	
Jim Patterson	HC RIDERS	534		X	
James Anthony Mastandrea	ABATE	534		X	
TIM MEAGHER	SELF	534		X	
Connie Stine	Self	534		X	
Richard Olson	Self	534		X	
Ron Riddock	Self	534		X	
Gary Lauer	Self	534		X	
Matt Weber	Self Abate	534		X	
Greg Danner	Self	534		X	
Mike HARRIS	Gallatin County	590	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors' Register

Judiciary COMMITTEE Date 2/15/07

Bill Nos. 636, 590 630, 534 Sponsor(s) Busby, Gallik, Everett, Erickson

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name	Representing	Bill No.	Support	Oppose	Info.
Kathleen Murray		636	X		
Rick Breckenridge	Myself	590	X		
Russ Crowder	American Dream Montana	590	X		
Jeff Larsen	Myself	590	X		
Dick Sneed	MT Scout	590	X		
Charles Lapp	self	590	X		
Joe Roberts	MARLS	590	X		
Linda Stoll	Missoula County Mt Ass'n of Planners			✓	
Claudia Clifford	AARP MT	630	✓		
Pam Bucy	DOJ	630	✓		
Steve Bender	ITSD/DOA	630			✓

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MINUTES

MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JESSE LASLOVICH**, on March 30, 2007 at 8:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:
Sen. Jesse Laslovich, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Larry Jent (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Gary L. Perry (R)

Members Excused:
Sen. Carol C. Juneau (D)
Sen. Jim Shockley (R)
Sen. David E. Wanzenried (D)
Sen. Carol Williams (D)

Members Absent: None.

Staff Present: Carol Andersen, Committee Secretary
Valencia Lane, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	HB 781, 3/26/2007; HB 643, 3/26/2007; HB 636, 3/26/2007
Executive Action:	None.

HEARING ON HB 781

Opening Statement by Sponsor:

00:01:14 **REP. JONATHAN WINDY BOY (D), HD 32,** opened the hearing on **HB 781,** Revise racial profiling law -- data gathering.

EXHIBIT(jus68a01)

Proponents:

00:03:22 Sen. Frank Smith

00:05:54 Sen. Carol Juneau

00:11:23 Charles Grant, Havre

00:14:51 Cynthia Schmokel

00:16:27 Rep. Margaret Campbell, Fort Peck Indian Reservation

00:17:53 Cathy Day, Montana American Civil Liberties Union

EXHIBIT(jus68a02)

00:20:58 Linda Gryczan

00:24:14 Barry Stang, Montana Motor Carriers Association

00:25:19 Rep. Norma Bixby, Northern Crow and Cheyenne Districts

Opponents:

00:29:17 Mark Guy, Laurel Police Department

00:32:19 Rusty Wickman, Chief of Police, Missoula

00:36:08 Mike Barthel, Chief of Police, Havre

00:42:57 Mike Weber, President of Montana County Attorneys Association

00:47:41 Sheriff Greg Szudera, Hill County

00:53:56 Mark Muir, Missoula Police Officer

01:01:28 Mark Blood, Missoula Police Officer and Racial Profile Instructor

01:02:37 Jim Kembel, Montana Association, Chiefs of Police and Montana Police Protective Association

01:03:28 Jerry Williams, Executive Director, Montana Police Protective Association

01:04:42 Stan Marquem, Havre Police Department

Informational Testimony:

01:07:10 Pam Bucy, Assistant Attorney General, Department of Justice

EXHIBIT(jus68a03)

Questions from Committee Members and Responses:

01:17:17 Sen. McGee to Rep. Windy Boy

01:21:15 Sen. Moss to Chief Barthel

01:24:27 Sen. Juneau to Officer Muir

01:29:18 Sen. O'Neil to Rep. Windy Boy

01:30:29 Sen. Pease to Rep. Windy Boy

Closing by Sponsor:

01:31:53 Rep. Windy Boy

01:36:02 Break

01:48:26 Resume

HEARING ON HB 643

Opening Statement by Sponsor:

01:48:41 REP. JOHN SINRUD (R), HD 67, opened the hearing on **HB 643,** Revise sexual predator laws.

Proponents:

01:50:10 Stacie Rumenap, Stop Child Predators

EXHIBIT(jus68a04)

01:58:04 Chip St. Clair, Michigan Chapter, Justice for Children

EXHIBIT(jus68a05)

02:09:58 Mark Lundsford, Jessica Lundford's father

02:28:41 Greg Trude, Executive Director, Right to Life of Montana

02:30:47 Tim Ravndal, Montana Multiple Use Association

02:33:50 Joel Murdy, Belgrade

EXHIBIT(jus68a06)

Opponents:

02:40:02 Scott Crichton, American Civil Liberties Union

02:44:52 Linda Gryczan, Montana Women's Organization, and Business Women

Informational Testimony: None.

Questions from Committee Members and Responses:

02:46:38 Sen. McGee to Rep. Sinrud

EXHIBIT(jus68a07)

02:48:50 Sen. Laslovich to Diana Koch, Chief Legal Counsel, Department of Corrections (DOC)

02:49:29 Sen. McGee to Diana Koch

02:51:57 Sen. Shockley to Diana Koch

Closing by Sponsor:

02:54:18 Rep. Sinrud

03:01:24 Break

03:11:12 Resume

HEARING ON HB 636

Opening Statement by Sponsor:

03:11:18 REP. NORMA BIXBY (D), HD 41, opened the hearing on **HB 636,** Prohibit quotas in evaluating law enforcement officers.

EXHIBIT(jus68a08)
EXHIBIT(jus68a09)
EXHIBIT(jus68a10)
EXHIBIT(jus68a11)

Proponents: None.

Opponents:

03:24:18 Pam Bucy, Assistant Attorney General, Department of Justice

EXHIBIT(jus68a12)
EXHIBIT(jus68a13)

03:30:50 Jim Kembel, Montana Police Protective Association, and Montana Association of Police Associations

03:33:08 Col. Paul Grimstad, Montana Highway Patrol

03:34:17 Mike Weber, Richland County Attorney

Informational Testimony: None.

Questions from Committee Members and Responses:

03:34:42 Sen. Shockley to Pam Bucy

03:36:46 Sen. McGee to Col. Grimstad

03:40:25 Sen. Laslovich to Col. Grimstad

03:41:32 Sen. Pease to Col. Grimstad

03:43:37 Sen. Pease to Pam Bucy

03:44:27 Sen. Shockley to Rep. Bixby

03:47:13 Sen. Perry to Col. Grimstad

03:48:55 Sen. O'Neil to Col. Grimstad

03:50:29 Sen. Shockley to Col. Grimstad

03:51:47 Sen. Moss to Pam Bucy

03:52:29 Sen. McGee to Pam Bucy

03:53:18 Sen. McGee to Col. Grimstad

Closing by Sponsor:

03:53:50 Rep. Bixby

04:01:33 Sen. Laslovich

04:02:53 Sen. O'Neil

04:04:05 Sen. Laslovich

ADJOURNMENT

Adjournment: 12:10 P.M.

_____
SEN. JESSE LASLOVICH, Chairman

_____
CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

EXHIBIT(jus68aad.pdf)

A few empty seats

1-29-05 I.R.

SENATE JUDICIARY
Exhibit No. 8
Date 3-30-05
Bill No. HB 636

George Lane *IR Staff Photographer*

Sen. Frank Smith, D-Poplar, back to camera, makes his opening remarks for SB264 before the Senate Judiciary Committee, Friday in Helena. The bill would prohibit arrest quotas for peace officers.

Lawmaker alleges ticket quotas in proposing legislation

By SARAH COOKE
Associated Press Writer

HELENA — Montana Highway Patrol Col. Paul Grimstad insists his officers don't have quotas for writing tickets or arresting bad guys. Former policeman Sen. Frank Smith, D-Poplar, begs to differ, and he wants them banned.

Smith, a police officer for seven years, introduced legislation Friday that would prohibit all police agencies in the state from setting quotas on how many tickets officers are to issue or how many arrests they must make in a given time.

Smith told the Senate Judiciary Committee that he introduced the bill after three highway patrolmen complained to him about the practice in that agency. He said quotas were also discussed at a recent patrol meeting.

"There was a suggestion for change when I asked police officers about it," Smith said.

Grimstad denied the use of quotas at the Highway Patrol, but said sergeants and officers do "work out a number (of citations) they feel they can attain for the year." The number has been one of several goals used in evaluations for at least eight years, he said.

"A quota is a set number that no matter what they're doing they need to attain that," Grimstad said. "We don't have one of those. This isn't set in stone."

Citation numbers can be adjusted in case of injury or if an officer spends significant time in court or investigating accidents, he said.

While Grimstad understands how it could be seen as a quota system, he said he's gotten no complaints about the policy. Grimstad, a 22-year patrol veteran, took over as patrol chief in June.

A handful of officers and law enforcement lobbyists attended Friday's committee hearing to testify on a separate law enforcement measure, but cleared out of the room when Smith's bill came up.

Their quick exit surprised many committee members, but Smith expected it. He said he suspected they left to avoid questions about law enforcement quotas, a touchy issue which the industry has come to no real consensus on.

"I knew that was going to happen," Smith said. "I respect them. That's why I stalled so they could get out of there."

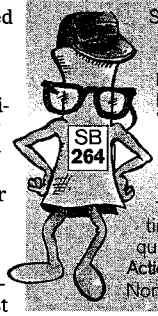
Jerry Williams, a Butte-Silver Bow officer and lobbyist for the Montana Police Protective Association, said he left for another committee meeting and because his group hadn't taken a stance on Smith's quota bill.

"I don't think (quotas) are something being used out in the field extensively at all," Williams said. "I haven't heard any complaints at all about it. If our police officers have issues or problems with things they would bring them up at our annual conference."

The committee took no immediate action on Smith's bill, but at least one member expressed support.

"I think you're on to something here, given all the proponents and opponents," Sen. Gerald Pease, D-Lodge Grass, said, shooting a glance around the largely empty room.

Bill at a Glance



Sponsor: Sen. Frank Smith, D-Poplar.
Purpose: Would prohibit police agencies from setting ticket quotas.
Action: None taken.

SENATE JUDICIARY
Exhibit No. 9
Date 3-30-05
Bill No. HB 636

Patrol institutes one-stop-per-hour requirement

By CHARLES S. JOHNSON - IR State Bureau - 07/07/05

HELENA — Since July 1, each Montana Highway Patrol officer driving on the state's roads has been required to stop at least one vehicle per hour, the patrol's chief, Col. Paul Grimstad, confirmed Wednesday.

Grimstad emphasized that these new targets are guidelines—not quotas—aimed at reducing traffic accidents, fatalities and drunken driving on the state's highways.

"We're trying to set at least a minimum of one stop per hour so our 170-odd troops out here can maybe make a little more difference," he said.

Officers are required to make one stop per "non-obligated hour" when on duty patrolling the highways, he said. They are exempt if they are testifying in court, attending training, speaking in schools or investigating highway accidents, he said.

These stops do not have to result in a patrol officer issuing tickets to drivers, Grimstad said.

"We're not even telling them you have to have six tickets or nine warnings," Grimstad said.

The once-an-hour stop joins another Highway Patrol guideline, issued in December, that each Highway Patrol officer must issue a minimum of 12 tickets a year for alcohol-related offenses. These include charges of driving or being a pedestrian while intoxicated and being a minor in possession of alcoholic beverages.

Neither guideline is believed to have been disclosed to the general public previously.

Grimstad said he imposed the targets for several reasons: a 2004 legislative audit; the 2005 Legislature's

decision to provide more Highway Patrol officers and give the patrol officers a higher average pay raise than other state employees to help retain staff; and the need to reduce Montana's alcohol-related highway fatalities, which have been among the nation's highest.

"People are expecting us to do something," Grimstad said.

The legislative performance audit on the Highway Patrol suggested ways to improve the state agency by increasing officers' time patrolling the highways by coming up with other ways to address lower priority activities. It called for reducing sergeants' deskwork and having them out on the highways more to supervise officers.

Citing the legislators' decisions to boost patrol pay and staff, Grimstad said, "There is an expectation that they want some results, and we're trying to gear up for that to show we are worthy of the pay increase and the manpower increase."

He emphasized repeatedly that the targets are guidelines only, not quotas.

In a new law, the 2005 Legislature specifically prohibited local and state law enforcement agencies from imposing specific "quotas" telling officers how many arrests they must make or citations they must issue. Senate Bill 264 was sponsored by Sen. Frank Smith, D-Poplar, who could not be reached for comment.

However, the law, as amended by Sen. Jeff Mangan, D-Great Falls, provides an exemption that says the term quota "does not include the use of generally accepted management techniques that employ performance objectives as part of an overall employee evaluation."

Grimstad said Highway Patrol supervisors will review the stop records and alcohol-related tickets issued by officers as an evaluation, but they won't be graded "yea or nay." If someone is below the target, a supervisor may suggest further training, he said.

He's confident most officers would meet the targets. The average officer now issues 17-18 citations a year for alcohol-related crimes now, Grimstad said. The average officer and sergeant now makes 0.88 stops per non-obligated hour, he said.

Attorney General Mike McGrath, the state's chief law-enforcement and legal officer who oversees the patrol, supports the guidelines, spokeswoman Lynn Solomon said.

Asked how Highway Patrol officers were reacting to the targets, Grimstad said, "There are a couple who aren't happy. The vast majority are very supportive."

Tom Bivins, field representative for the Montana Public Employees Association, the union representing Highway Patrol officers, said the issue was discussed in management-labor meetings in the eight patrol districts this spring.

"To my knowledge, the Highway Patrol officers that I represent were OK with performance standards," he said. "There was a little grumbling about it initially. It certainly appeared to be a lack of communication."

SENATE JUDICIARY
Exhibit No. 10
Date 3-30-07
Bill No. HB 636

Lawmaker opposes MHP's one-stop-an hour guideline

by Ellen Thompson

Havre Daily News
ethompson@havredailynews.com

A new law meant to improve traffic safety and Montana Highway Patrol officers' vigilance could lead to racial profiling, said a local legislator who plans to fight it.

The law prohibits the Highway Patrol from setting quotas for the number of tickets issued and arrests made by patrol officers, but an amendment to the bill says managers can set objectives. Col. Paul Grimstad, who heads the patrol, said he's asking officers to make a stop per hour of patrol.

State Rep. Jonathan Windy Boy, D-Rocky Boy, said he opposed the bill in the Legislature and later approached a staff member in Gov. Brian Schweitzer's office to ask that the governor veto the bill. Windy Boy said he hadn't realized the bill had been signed into law until he heard that it took effect last Monday.

"I'm going to fight this to the end," he said.

Windy Boy said his problem lies with the stop an hour.

"This is just going to be giving the Highway Patrol another reason to stop my people," said Windy Boy, who is Native American.

Windy Boy plans to propose that the law be overturned, either in a special session of the Legislature this year, which is planned primarily to review a new education funding formula, or otherwise in the next legislative session.

Grimstad said the one-stop requirement is better termed a "guideline." Law enforcement officers need probable cause to make a stop, he added.

"It's not a rule," he said. "If nothing else is going on, I'm asking them to obtain that number if they can."

Windy Boy is also a member of the Rocky Boy tribal council and said that about a year ago the council had approached the Montana Attorney General's Office about perceived racial profiling by Highway Patrol officers. Council and community members had frequently observed patrol cars parked outside the reservation's border in Box Elder and at the turnoff to Rocky Boy Agency on U.S. Highway 87 - a practice Windy Boy said the Highway Patrol has since stopped. It's an image Windy Boy says has stuck with him and that he does not want to see happen again. Residents at Fort Belknap Indian Reservation have approached him with similar accounts, he said.

The Highway Patrol is operating with a historically low number of officers on the road, fewer than there were 30 years ago, Grimstad said. He estimated the number of officers at about 170 statewide. The guideline ensures that the officers who are on the road do their jobs, he added.

The requirement is limited to patrol time, so an officer spending hours at the scene of an accident would not be required to make additional stops to make up for that time, Grimstad said.

Rep. Jill Cohenour, D-East Helena, who also opposes the one-stop-an-hour requirement, said she thinks the bill passed because legislators were worried that not passing the bill would jeopardize a separate Highway Patrol pay raise bill.

The Legislature also approved that bill this year. Grimstad said the patrol had vacancies that it was not filling and agreed that the bills were related "in a roundabout way."

"The Legislature was very kind to the Highway Patrol this session, paying them more and allowing them to increase their time out there," he said.

Grimstad added that the public wants to see officers actively patrolling.

Cohenour said the result may be bad for Native Americans. She said she has heard that more citations are made near Indian reservations than elsewhere in the state and called the amendment a de facto quota.

"The law was a good law until that amendment got stuck on ... that essentially made it legal to have quotas and we've never had that before," she said. "We're going down a road that's very negative."

Grimstad said he did not know of any studies that showed more citations near reservations and he doubted that was so.

A longtime officer with the Highway Patrol in Wolf Creek, Frank Nowakowski, said the guideline probably won't be abused.

"This is a really sticky thing. Is this is a quota? No, it's not a quota, it's a goal for enforcement for the officers. It's not something that will be abused unless an officer allows himself to abuse this," he said.

Grimstad said he didn't think the one-stop-an-hour requirement would lead to racial profiling and he said he's instituted ways to track profiling if it's alleged. He asks officers to guess a person's race or nationality after making a stop, without asking. That information does not appear on the ticket. The information is kept internally so a particular officer's stops can be tracked or reviewed if somebody claims unfair treatment.

"If they have a reason to stop somebody, it better be a good reason and it better hold up in court," Grimstad said.

Copyright © 2005 The Havre Daily News
http://www.havredailynews.com

SENATE JUDICIARY
Exhibit No. 11
HB 636 Date 3-30-05
Bill No. HB 636
DISTRIBUTION REQUESTED BY Senator J.B.

AG: Patrol will drop 'guidelines' for officers

By CHARLES S. JOHNSON - IR State Bureau - 07/14/05

HELENA — Attorney General Mike McGrath said Wednesday the Montana Highway Patrol is expected to drop its controversial "guidelines" on how many traffic stops its officers are encouraged to be make each hour.

The attorney general, who as the state's chief law enforcement officer oversees the patrol, said there are evolving standards on how the Highway Patrol management should evaluate the performance of the patrol officers on the road.

"In the next few weeks, we will have a written final policy on how we evaluate performance," McGrath said. "I think it's safe to say there won't be any numbers for stops and DUIs."

Later this summer, the Highway Patrol and Justice Department will issue a "specific written policy so that prosecutors and defense attorneys understand what the specific polices are," he said.

Since July 1, each patrol officer driving on the state's roads has been expected to meet the target of stopping at least one vehicle per hour, even if no tickets are issued, the State Bureau reported last week. These goals don't apply to officers when investigating accidents, receiving training or testifying in court.

The patrol's chief, Col. Paul Grimstad, last week described these targets as guidelines — not quotas —aimed at reducing traffic accidents, fatalities and drunken driving on the state's highways. He said the public is expecting more out of the Highway Patrol after the Legislature gave officers a higher pay raise than other state employees and expanded the patrol staff.

Grimstad also implemented guidelines in December 2004 for each officer to issue at least 12 tickets a year for alcohol-related infractions such as driving or walking while intoxicated.

Asked why the Justice Department and Highway Patrol are dropping these guidelines in evaluating patrol officers, McGrath said these goals were "never going to do."

"The Legislature said don't do quotas," he said.

McGrath said the alcohol-related citation goal "is totally gone" because it's inconsistent with a 2005 law prohibiting local and state law enforcement quotas on tickets, except when used to evaluate an officer's job performance. He thought this goal was dropped this spring.

As for the traffic-stop-an-hour goal, McGrath said, "It's clear that's probably not going to work either. People interpret that as a violation of the law."

It's not, McGrath said, because the goal isn't intended for citations but as a means for managers to evaluate the job performance of Highway Patrol officers.

The 2005 Legislature passed and Gov. Brian Schweitzer signed into law a proposal by

Sen. Frank Smith, D-Poplar, that specifically prohibits local and state law enforcement agencies from imposing specific "quotas" telling officers how many arrests they must make or tickets they must issue.

As amended by Sen. Jeff Mangan, D-Great Falls, the law provides an exemption, by saying that quota "does not include the use of generally accepted management techniques that employ performance objectives as part of an overall employee evaluation."

Rep. Jonathan Windy Boy, D-Rocky Boy, warned this week that these goals could lead to racial profiling near the state's American Indian reservations. Grimstad disagreed.

Windy Boy said he would push in the anticipated special legislative session later this year to outlaw the guidelines as well as quotas.

McGrath said the issue facing the Highway Patrol is how best to evaluate the job being done by its officers.

"How does a manager determine whether a person is adequately performing their job as a Highway Patrol officer?" McGrath asked. There are other ways besides stop guidelines and ticket targets for a patrol sergeant to evaluate the job done by an officer, but the agency will still use "management by objective."

Among the potential measurements, he said, are how did the officer do testifying in court, what kind of complaints have been registered about the officer, how prolific is an officer in investigating accident and how proficient is the officer's driving skills.

SENATE JUDICIARY
Exhibit No. 12
Date 3-30-07
Bill No. HB 636

Chapter III: **GENERAL REGULATIONS**
Section: GR-5
Subject: Biased-Based Policing
Approved By:
Effective: May 1, 2002

POLICY

A. PURPOSE

1. The Montana Highway Patrol will not tolerate racial profiling or biased-based policing. This type of conduct and actions, whether intentional or not, by Patrol Officers is unethical, unacceptable and will not be tolerated. This policy will provide guidelines to address and prevent racial profiling occurrences and assist officers in understanding proper procedures to these incidents.

2. This policy is part of the need to address the belief and perception that biased-based policing exists. But it is also part of the process of providing data and information to counter this widespread belief and provide qualified public information as well as officer protection with the goal of providing support and leveling the playing field for everyone.

B. DEFINITIONS

1. Racial Profiling and biased-based policing is the reliance on race, skin color and/or ethnicity as an indication of criminality, reasonable suspicion, or probable cause, except when applied as part of a description of a suspect provided in the course of business.

C. PROCEDURES

CONDUCT OF OFFICERS DURING STOPS

1. Policy GR-2 instructs the officer in conducting professional traffic stops and making public contacts. Included in this is the detention of vehicles and persons based on reasonable suspicion of criminal activity (i.e., Terry stops).

2. Traffic stops and all public contacts will be performed in an unbiased, courteous and professional manner. Officers will not stop an individual based on race, skin color and/or ethnicity.

C. **PROCEDURES** (Cont.)

CONDUCT OF OFFICERS DURING STOPS (Cont.)

3. Motorists and pedestrians will only be subject to stops or detentions based upon reasonable suspicion and/or probable cause that they have committed, are committing or are about to commit a violation of the law.

4. The Patrol recognizes that training, experience, monitoring activity, tracking information and continued diligence by everyone, especially supervisors, are key to promoting development of acceptable individualized approaches to motorists and public relative to racial profiling issues.

5. The recommended practices for approaching motorists and citizens and establishing rapport, thereby conducting professional public encounters (GR-2), may have variances and exceptions with situations involving investigations, confidentiality, and/or tactical or safety considerations.

6. All enforcement action and/or official contacts should be accompanied with appropriate written documentation established in compliance with directives and practices of the Patrol.

7. Be certain that the appropriate documentation and information is provided upon the citation, warning card or daily log to validate the reason for the initial contact and justify all actions.

D. **SUPERVISION AND EVALUATION**

1. Supervisors will be diligent and perseverant with attention to officer activity, actions, work quality and public contact so as to address any concerns relative to professional conduct, appropriate behavior as well as biased-based policing concerns.

2. Supervisors and all personnel will ensure that the working environment is free from any bias, racial or ethnic hostility. There will also be an assurance that there will not be any retaliation to any employee or citizen for reporting any such incidents, behaviors or activities.

D. **SUPERVISION AND EVALUATION** (Cont.)

3. The public and appropriate groups will be routinely contacted to determine any possible activities that may be viewed as race or ethnic based.

4. Supervisors will regularly meet with officers as well as periodically review video footage of traffic stops and document the review. If any concerns are observed, they will be completely investigated and appropriate action taken.

E. **COMMUNITY INVOLVEMENT**

1. Officers will make every attempt to develop and participate in local groups and programs that have an interest and concern with biased-based policing.

2. District and Detachment Commanders will also become involved in any other law enforcement agency groups or programs that address biased-based policing issues.

F. **COMPLAINT HANDLING AND INTERNAL AUDITS**

1. Current procedure for complaint handling (P-2) will be adhered to.

2. Should the complaint have a racial or bias concern, the receiving supervisor or officer will document that concern and the complaint will be forwarded through the chain of command to the Lt. Colonel.

3. If the Lt. Colonel determines that there may be racial or bias issues, the Lt. Colonel will contact the Chief and the investigating agency will be determined.

4. Within ten (10) days of receiving the complaint, the Chief or District Commander will respond to the complainant in writing, explaining that the concern is being investigated and that once the investigation is complete, they will be contacted in writing with the findings of that investigation.

F. **COMPLAINT HANDLING AND INTERNAL AUDITS** (Cont.)

5. The Attorney General's Office will be contacted concerning any complaint that appears to have racial or biased concerns. All steps of the investigation will be done with input from the Attorney General's Office.

6. Annually, a report will be forwarded to the Attorney General's office outlining any investigation or complaint that was conducted or received and the outcome. The report will include, but is not limited to: total number of racial or bias complaints, the specific type of complaints, the employee(s) name that the complaint involved, whether or not a pattern is identified, whether or not additional training or other progressive disciplinary action has taken place for specific employees, and identifying any need for more community involvement or agency-wide training.

G. **TRAINING**

1. Every employee of the agency will receive cultural diversity and racial profiling awareness training during the Academy and in-service.

2. Training will include detailed review of the policy and practice of the Patrol relative to cultural diversity and dealing with minorities.

3. This training will also involve of use-of-force applications and limitations, constitutional based discussions of the Fourth and Fourteenth Amendments (Unreasonable Search and Equal Protection).

4. Biased and racial actions and concerns will also be part of the employee's performance appraisal as well as the employee's involvement in community and local programs.

5. Legal aspects of racial profiling and bias-based policing will be incorporated in all recruit and in-service training.

SENATE JUDICIARY
Exhibit No. 13
Date 3-30-07
Bill No. HB 636

Surrounding States Evaluation Systems for Self-Initiated Field Activity

North Dakota
One Contact/Hour
This means tickets, warnings, public assists, inspections, etc. NDHP has been using this type of system successfully for the past 5 years.

Idaho
Detachment Average
Each Sergeant evaluates the needs of their area and identifies the enforcement efforts needed to combat or deter traffic problems. A constant review of their efforts and output generate a detachment average that the troops in the particular detachment are held accountable to.

Oklahoma
Contacts Per Hour Based on Detachment Average
OHP tracks only tickets in this area.

Wyoming
One Contact/Hour
This includes a tickets, warnings, inspections, and public assists.

Utah
Freedom Based Performance Plan
This system allows the individual trooper to identify how they will focus their efforts at the beginning of the year based on the needs of their area. The trooper sits down with the First-Line Supervisor and writes their own goals for the year which includes enforcement numbers. Each trooper is then held accountable for the goals they have set. Each trooper has to outline for the supervisor how they will accomplish their respective goals.

South Dakota
They do not track numbers at the District level although they do unofficially at the detachment level. When they see a decline in enforcement or work activity it is up to the supervisor to conduct ride-along to determine what the issues are. The current system has made evaluation of performance more difficult. Top performing troopers receive a 2% pay increase in base pay annually. (System in place for over 15 years.) Substandard performers get nothing and a correction action system is utilized. Generally all South Dakota state employees also get 3% COLA annually. Usually 1/3 of field troops get 2% annually.

Nebraska
Detachment Average
This includes all tickets, warnings, public assists, crashes, and inspections.

Colorado

District Established Goals

The Colorado State Patrol allows each District to determine the needs of their area and establish goals as a team to combat their traffic problems. The goals of course vary from District to District. At the end of the year the individual team is given a score based on:

How many hours of teams operations that were conducted.

How many hours of targeted DUI operations were conducted.

How many miles traveled between citations issued.

(20 miles 3 points**30 miles 2.5 points**40 miles 2 points)

Numerical ratings are used up the chain of command from Trooper, to Sergeant, to Captain to determine the effectives of their efforts. In the end the efforts of the District rest on everyone's shoulders. Some of the Detachments have even established a goal for each trooper that required only 14 miles traveled between stops.

MONTANA SENATE
2007 LEGISLATURE

ROLL CALL

JUDICIARY

DATE 3-30-07

NAMES	PRESENT	ABSENT	EXCUSED
SEN. LYNDA MOSS (D)	✓		
SEN. DAN McGEE (R)	✓		
SEN. CAROL WILLIAMS (D)			✓
SEN. CAROL JUNEAU (D)			✓
SEN. GERALD PEASE (D)	✓		
SEN. JIM SHOCKLEY (R)			✓
SEN. AUBYN CURTISS (R)	✓		
SEN. JERRY O'NEIL (R)	✓		
SEN. LARRY JENT (D)	✓		
SEN. GARY PERRY (R)	✓		
SEN. DAVID WANZENRIED (D)			✓
SEN. JESSE LASLOVICH (D) CHAIRMAN	✓		
VALENCIA LANE, LSD	✓		
CAROL ANDERSEN, COMMITTEE SECRETARY	✓		

MONTANA STATE SENATE
2007 LEGISLATURE

VISITOR REGISTER

JUDICIARY

DATE 3-30-07

BILLS BEING HEARD TODAY HB-781, HB 636, HB 643

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Joel Murdy	406 388-1152		HB 643	✓	
Jim Kembel	439-6791	MACOP / MPPA	HB636 HB781	~~✓~~	✓
Mark Guy	697-6042	MPPA	HB781		X
Stan Marsha	265-4361	Havre Police Dept	HB781		X
MIKE BARTHEL	265-4361	HAVRE POLICE DEPT	HB 781		X
Patti Hoovman	582-2243	MPPA	HB781		X
Lee Tallington	535-1900	MPPA	HB781		X
Dave Jesenik	449-0662	MPPA	HB781		X
George Tate	265-4361	MPPA	HB781		X
Lee Rodney	457-9449	MPPA	HB781		X
Rick Knox	5526318	Missoula PD	HB781		X
TIM HAWKINS	6578465	MPPA / Billings	HB781		X
Mark Sloot	552-6281	MSLA PD	HB781		X
Jerry Williams	490-1947	Mont Police Protective Assn	HB781		X
MARK MUIR	552-6316	MSLA PD	HB781		X
Truman K. Telsa	552-6289	MPPA / MSLA PD	HB781		X
Cathy Day	461-0660	Montana ACLU	HB781	X	
Linda Engum	431-3635	Self	HB781	✓	
Grimstad Paul	444-4695	MHP-DOJ	HB636		X
Grimstad Paul		MHP-DOJ	HB643	X	
Margaret Campbell	480-3107	House District 31 Ft. Peck	HB781	X	
BARRY STANG	442-6600	MMCA	HB781	X	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

MONTANA STATE SENATE
2007 LEGISLATURE

STATE ADMINISTRATION

VISITOR REGISTER

DATE 3-30-07

BILLS BEING HEARD TODAY _____

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Kathleen Hartman	759-5188	CALM			
DIANA KOCH	444-9593	DOC	643	INFORMATION	
Stacie Rumenap	(406) 234-0090	Stop Child Predators	643	✓	
Chip St. Clair	(406) 543-6093	Justice for Children	643	✓	
Mark Lunsford	(352) 400-2833	Jessica Lunsford	643	✓	
Tim RAUNDAL	239-5860	Self MMVA	643	✓	
MARK MUIR	552-6316	MISSOULA P.D.	HB 636		X
MARK BLOOD	552-4281	MISSOULA PD	HB 636		X
Linda Gryczan	431-3635	MT Q's Lobby	HB 643		
Pam Bury	444-2026	DOJ	HB 643		X
"	"	"	HB 781	✓	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY